

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v. -

MICHAEL HARDWARE, and
CHRISTOPHER JOHNSON,

Defendants.

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x

INDICTMENT

13 Cr.

13 CRIM 126

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED

DOC #:

DATE FILED FEB 21 2013

COUNT ONE

(Conspiracy)

The Grand Jury charges:

1. From in or about August 2012 up to and including in or about September 2012, in the Southern District of New York and elsewhere, MICHAEL HARDWARE and CHRISTOPHER JOHNSON, the defendants, and others known and unknown, willfully and knowingly did combine, conspire, confederate and agree together and with each other to commit an offense against the United States, to wit, to violate Title 18, United States Code, Section 472.

2. It was a part and an object of the conspiracy that MICHAEL HARDWARE and CHRISTOPHER JOHNSON, the defendants, and others known and unknown, with intent to defraud, would and did pass, utter, publish, and sell, and attempt to pass, utter, publish, and sell, and with like intent bring into the United

JUDGE ABRAMS

States and keep in their possession and conceal, falsely made, forged, counterfeited, and altered obligations and other securities of the United States.

OVERT ACTS

3. In furtherance of said conspiracy and to effect its illegal object, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. In or about September 2012, MICHAEL HARDWARE, the defendant, used a printer to print multiple counterfeit Federal Reserve notes at his apartment in the Bronx, New York.

b. In or about September 2012, CHRISTOPHER JOHNSON, the defendant, used counterfeit Federal Reserve notes printed by HARDWARE to make purchases, and thereby obtained real United States currency as change.

c. On or about September 7, 2012, HARDWARE used a counterfeit \$10 Federal Reserve note to purchase a hot dog from a hot dog vendor in New York, New York, and thereby obtained approximately \$8 in real United States currency as change.

(Title 18, United States Code, Section 371.)

COUNT TWO

(Possession of Counterfeit Obligations or Securities)

The Grand Jury further charges:

4. From in or about August 2012 up to and including in or about September 2012, in the Southern District of New York and elsewhere, MICHAEL HARDWARE and CHRISTOPHER JOHNSON, the defendants, willfully and knowingly, and with intent to defraud, did pass, utter, publish, and sell, and did attempt to pass, utter, publish, and sell, and with like intent did bring into the United States and keep in their possession and conceal, falsely made, forged, counterfeited, and altered obligations and other securities of the United States.

(Title 18, United States Code, Sections 472 and 2.)

COUNT THREE

(Convicted Felon in Possession of a Firearm)

The Grand Jury further charges:

5. In or about September 2012, in the Southern District of New York and elsewhere, MICHAEL HARDWARE, the defendant, after having been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly did possess in and affecting commerce a firearm, to wit, a .380-caliber Jimenez Arms pistol, which had been shipped and transported in interstate and foreign commerce.

(Title 18, United States Code, Section 922(g)(1).)

COUNT FOUR

(Convicted Felon in Possession of Ammunition)

The Grand Jury further charges:

6. In or about September 2012, in the Southern District of New York and elsewhere, CHRISTOPHER JOHNSON, the defendant, after having been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly did possess in and affecting commerce a firearm, to wit, a 9mm-caliber pistol, and ammunition, to wit, Federal "Champion" 9mm-caliber bullets, all of which had been shipped and transported in interstate and foreign commerce.

(Title 18, United States Code, Section 922(g)(1).)

FORFEITURE ALLEGATION

7. As the result of committing one or more of the offenses alleged in Counts One and Two of this Indictment, MICHAEL HARDWARE and CHRISTOPHER JOHNSON, the defendants, shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and § 982(a)(2)(B), and 28 U.S.C. § 2461, all property, real and personal, which constitutes or is derived from proceeds obtained directly or indirectly from such violations.

SUBSTITUTE ASSET PROVISION

8. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or deposited with, a third person;

(3) has been placed beyond the jurisdiction of the Court;

(4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 18 U.S.C.

§ 982(b) and 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendant up to the value of the above

forfeitable property.

(Title 18, United States Code, Sections 981 and 982;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)


FOREPERSON


PREET BHARARA
United States Attorney

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(18 U.S.C. §§ 371, 472, 922(g)(1) & 2.)

PREET BHARARA

United States Attorney.

A TRUE BILL,


Foreperson.

2/21/13
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- Filed Indictment

Case assigned to Judge Huels

Judge Gorenstein
USMD